

Attachment to Bulletin 610-21

The National Day of Mourning, January 25, 1973, for technical purposes of pay and leave administration is to be treated as falling within the scope of Executive Order 11582 and of 5 U.S.C. 5546 and 6103(b), as follows:

- a. If feasible, an employee for whom January 25, 1973, is a regularly scheduled workday will be excused from work on that day, and there will be no charge to leave or loss of pay. If not excused because his work services are required, the employee will be entitled to premium pay authorized by 5 U.S.C. 5546 for work performed during his regularly scheduled tour on that day.
- b. If January 25, 1973, is a nonworkday outside the employee's basic workweek (full-time employees only), his day-off or day for which premium pay under 5 U.S.C. 5546 is authorized for work performed will be determined in accordance with 5 U.S.C. 6103(b) and Executive Order 11582. However, no "in-lieu" time-off is authorized for part-time employees.
- c. An employee with an intermittent tour of duty, or an employee paid on a daily, hourly, or piecework basis who is not a regular employee, as defined by section 610.303(b), has no day-off. (See subchapter S3 of book 610, FPM Supplement 990-2.)
- d. An employee who has already received approval for absence on leave on January 25, 1973, will be paid, without charge to leave, for his regularly scheduled hours of work on that day.
- e. When an employee is in a nonpay status either before or after his day-off, as determined above, he is entitled to pay for the day-off even though not worked, but if he is in a nonpay status before and after his day-off, he is not entitled to pay for that day. (For example, an employee with a Monday through Friday workweek who is on leave without pay Wednesday afternoon and is in a pay status at the beginning of work Friday morning would be entitled to pay for Thursday, January 25.)
- f. For an employee separated on or after January 23, 1973, the date of the Executive order, the day-off, as determined above, will be included in the computation of the lump-sum payment when the annual leave included in the computation is sufficient to include January 25, 1973.